

1 A. Not that day.

2 Q. Or not to Mr. Iijima either, right?

3 A. No.

4 Q. Did you talk about it with Rose?

5 A. That day?

6 Q. Yes.

7 A. I don't remember.

8 Q. Was Rose your supervisor?

9 A. Yes.

10 Q. Did it occur to you that you ought complain to
11 Rose?

12 A. That day?

13 Q. Yes.

14 A. I believe she saw it.

15 Q. So did you talk with Rose about it?

16 A. No.

17 Q. Did Rose try and talk with you about it?

18 A. I don't remember. I don't think so.

19 Q. After this incident, did you tell anybody at
20 LeoPalace, "I don't want to work with Christina Camacho
21 anymore"?

22 A. No.

23 Q. And as you look back on it today, do you think
24 you might have made a mistake in not reporting this
25 particular incident to May Paulino?

1 A. Again, at that time, I still didn't know who to
2 report it to.

3 Q. Well, did you think -- did you know you were
4 supposed to -- you ought to report it to someone?

5 MS. MORRISON: Asked and answered.

6 A. I knew, but I felt that it would compromise my
7 job, it would compromise me being there.

8 Q. (By Mr. Roberts) I mean you didn't think you
9 were supposed to report it to the janitors, right?

10 A. Of course not.

11 Q. And you didn't think you were supposed to
12 report it to the bus drivers, right?

13 A. Right.

14 Q. You knew you -- did you know you were supposed
15 to report it to your supervisor?

16 A. No, I did not know who to report it to.

17 Q. How about -- well, did you think you should
18 report it to the starter at the golf course, Angel?

19 A. No.

20 Q. And how about the greenskeeper?

21 A. No.

22 Q. The maids over at the condominium?

23 A. No.

24 Q. So you knew who you weren't supposed to report
25 it to, but you didn't know who you were supposed to

1 report it to?

2 A. Correct.

3 Q. All right. Now we're three to four weeks into
4 the job and now there's been two incidents of sexual
5 harassment involving touching, right?

6 A. Yes.

7 Q. After this second incident with the dress,
8 what's the next incident involving touching that you
9 experienced or saw with your own eyes?

10 A. Touching.

11 Q. Physical contact.

12 A. For myself, what I can remember what Christina
13 did to me, the third incident was when she slapped me on
14 my ass.

15 Q. Okay. Now when was this, the second incident
16 -- well let me back up. Did you tell anybody about this
17 second incident?

18 A. Which second incident?

19 Q. The feeling up of the dress incident.

20 A. No.

21 Q. You didn't tell your boyfriend?

22 A. I don't remember.

23 Q. All right. Did you ever talk with Viviene
24 about it, that particular incident?

25 A. I don't remember.

1 Q. All right. So when did this -- and now you're
2 going to talk about an incident wherein Christina
3 slapped your butt, right?

4 A. Um-hmm.

5 Q. How many days or weeks after the dress
6 incident, this butt-slapping incident occur?

7 A. I believe it was on July 7th.

8 Q. July 7th would be 31 days or right around 30
9 days after you first started the job.

10 A. Okay.

11 Q. So the second incident was three to four weeks
12 into the job; that puts it at either 30 days into the
13 job or about 23 days into the job. Does that help you
14 remember when this third incident might have happened,
15 how many days after the dress incident?

16 A. No.

17 Q. Was it within a day, or two days, or three
18 days, or four days, a week?

19 A. I remember July 7th.

20 Q. Okay. What happened on July 7th?

21 A. It was Christina and I working at the front
22 desk for the morning shift.

23 Q. And she had previously tried to, before this
24 incident, before this day, tried to put her hand on your
25 -- or put your hand on her breast, right?

1 A. Previous.

2 Q. Previous to this?

3 A. Yes.

4 Q. And she had tried to feel your vaginal area on
5 a prior occasion too?

6 A. Yes.

7 Q. And so now we're on July 7th. Are you sure
8 about that date?

9 A. Yes.

10 Q. Before July 7th, had you seen or experienced
11 any incident of sexual harassment involving touching
12 yourself with Christina?

13 A. I don't remember. I don't think so.

14 Q. I mean, she didn't harass you every day, right?

15 A. I felt harassed by her through her words that
16 she would be using every day that I worked with her.

17 Q. The words "fuck" and "shit"?

18 A. Yeah. And --

19 Q. What other words?

20 A. I don't remember the other words.

21 Q. You say you felt harassed. Did you think
22 Christina was trying to sexually harass you by using
23 these words? Let me withdraw that. You said Christina
24 used swear words as a normal part of her conversation.

25 A. (Witness nodded head in the affirmative.)

1 Q. You have to speak up.

2 A. Yes.

3 Q. Did she do that with everybody?

4 A. Yes.

5 Q. So did you feel that these words were directed
6 at you personally?

7 A. I felt that it wasn't necessary to use those
8 type of words in the working environment.

9 Q. Are you -- would you consider yourself a
10 religious person?

11 A. Define religious.

12 Q. That's a really good response. Do you go to
13 church?

14 A. No.

15 Q. Are you Catholic?

16 A. No.

17 Q. Your father was an American --

18 A. Yes.

19 Q. -- from the States? Your father was a white
20 Anglo-Saxon Protestant?

21 A. He was Catholic.

22 Q. Okay; your father was Catholic. Was he born on
23 Guam?

24 A. No.

25 Q. He moved to Guam at some point, right?

1 A. Yes.

2 Q. Do you know when your father came to Guam?

3 A. When he was young.

4 Q. And your mother was Japanese?

5 A. Yes.

6 Q. Did your father meet your mother in Japan?

7 A. I believe so.

8 Q. And is your mother alive?

9 A. Yes.

10 Q. And is your father alive?

11 A. No.

12 Q. He passed away?

13 A. Yes.

14 Q. And when did your father pass away?

15 A. When I was 10; 18 years ago.

16 Q. Is your mother a particularly religious person?

17 A. No.

18 Q. And do you -- I asked you this already, but I
19 forgot the answer -- do you go to church?

20 A. No.

21 Q. Do you ever swear?

22 A. Swear?

23 Q. Yeah. Have you ever said the word "fuck"?

24 A. Yeah.

25 Q. And have you ever said the word "shit"?

1 A. Yes.

2 Q. Have you ever said those words around other
3 people?

4 A. Yes.

5 Q. And when you said those words to other people,
6 were you trying to harass them?

7 A. No.

8 Q. Okay. This third incident, what happened on
9 this third incident when she slapped your butt?

10 A. Okay. The third incident, Christina and I were
11 working at the front desk in the Belvedere, we were
12 doing our morning duties, and I was on the third
13 computer if you are looking from the desk -- being
14 behind the counter out, third computer, the last
15 computer on the end.

16 Q. On the -- looking from the front desk out
17 towards the lobby --

18 A. Yes.

19 Q. -- you're on the third computer on the left?

20 A. I'm on the left computer.

21 Q. So if I'm walking into the lobby, you're going
22 to be over on my right?

23 A. Yes.

24 Q. Is that the way you get into the back office,
25 around to the right as you look at the desk?

1 A. Yes, there's two doors at the front.

2. One on each side?

3 A. Yes.

4 | O. So what happened?

5 A. I was working on the computer and all I
6 remember -- what I remember is working on the computer,
7 doing some work so I guess getting ready for check-out
8 time, all I get is this big slap, bam! right on me.

9 MR. ROBERTS: The record should indicate
10 the witness has clapped her hands.

11 A. And I yelled.

12 Q. What did you say?

13 A. I reacted by screaming. My face was red, I
14 could feel my -- the anger, my ears were tipped red
15 also.

16 Q. You had this reaction before you knew who did
17 that to you?

18 A. I knew who -- I knew Christina slapped me
19 because I was --

20 Q. How? I mean, did you see her coming?

21 A. No, I didn't see her coming.

22 | Q. Okay.

23 A. She was behind me, she slapped me on my butt, I
24 turned around really quickly, I felt red, I felt angry.
25 I told her -- I screamed really loud and I said, "What

1 are you" -- I don't remember, I believe I said, "What
2 are you doing?" And she giggled and she said, "I'm
3 sorry. I can't help myself." I said, "No, that wasn't
4 nice at all." And I told her, I said, "Don't you ever
5 do that again to anybody. And if I find out that you do
6 that to anybody else, I will report you in." And Hong
7 came out also.

8 Q. But he came out after -- did he come out while
9 you were screaming?

10 A. Right after I was done getting mad with
11 Christina, and I told her.

12 Q. After you had got done telling off Christina?

13 A. Yes.

14 Q. So Mr. Hong didn't see what had happened?

15 A. He asked me what happened.

16 Q. What did you tell him?

17 A. I told him, "Christina just came up to me and
18 hit me on my butt really hard, and she laughed about
19 it."

20 Q. Who's Mr. Hong?

21 A. Mr. Hong, I believe, was the sales supervisor.

22 Q. Sales supervisor?

23 A. I believe so.

24 Q. And the sales supervisor was in charge of
25 coordinating J Pax from Japan?

1 A. I don't know.

2 Q. It's a common abbreviation, it stands for
3 Japanese customers or passengers, J Pax. Do you know
4 the nature of his job?

5 A. I don't really remember.

6 Q. Was he your direct supervisor?

7 A. No.

8 Q. And so what did Mr. Hong say?

9 A. He didn't say anything, he didn't take it
10 seriously.

11 Q. How do you know that?

12 A. Because he laughed also and he -- he laughed,
13 thought it was funny. I remember he laughed about it,
14 and then he just walked away.

15 Q. How do you know he didn't talk with Christina
16 later?

17 A. I don't know that.

18 Q. Did you report this incident to Mr. Suzuki?

19 A. No.

20 Q. Did you report it to Mr. Iijima?

21 A. No.

22 Q. Or May Paulino?

23 A. No.

24 Q. Mr. Maruyama had -- well, do you remember when
25 Mr. Maruyama came and started working?

1 A. I remember we were told of his coming on July
2 1st.

3 Q. And did you meet Mr. Maruyama when he came
4 onboard?

5 A. Yes.

6 Q. And he's Japanese?

7 A. Yes.

8 Q. And you speak Japanese?

9 A. Yes.

10 Q. Did you converse with Maruyama in Japanese or
11 in English or both?

12 A. Both.

13 Q. Did he come by the front desk every morning and
14 say "hi"?

15 A. Yes.

16 Q. And between July 1 and July 7, did you ever say
17 anything to Mr. Maruyama about Christine Camacho?

18 A. No.

19 Q. Why not?

20 A. Again, I really didn't know who to report it
21 to.

22 Q. Well, you had just threatened Christine that if
23 she ever did that to anyone, you would report her.

24 A. Yes.

25 Q. And who were you talking about, that you would

1 report it to when you said this to Christina?

2 A. To Mr. Suzuki, knowing he's my supervisor.

3 Q. Okay. So on July 7, you knew you were supposed
4 to report sexual harassment to Mr. Suzuki?

5 A. Repeat your question.

6 Q. All right. So as of July 7, you knew that you
7 should report sexual harassment to your supervisor, Mr.
8 Suzuki?

9 A. Yup.

10 Q. And why didn't you know that on the previous
11 skirt incident or the previous breast, attempted
12 breast-touching incident?

13 A. I don't know.

14 Q. All right. Did you report her to Mr. Suzuki?

15 A. Repeat your question.

16 Q. You said, "If you ever do that again, I'm going
17 to report you to Mr. Suzuki," right?

18 A. Yes.

19 Q. Why didn't you report her that day?

20 A. I didn't want -- I was afraid to compromise my
21 job.

22 Q. Did you know generally when Christina had been
23 hired?

24 A. No.

25 Q. She was hired before you though, right?

1 A. Yes.

2 Q. Did you know that she had been hired about a
3 month before you?

4 A. I don't know.

5 Q. Did you speak with Rose Paulino about this
6 butt-slapping incident? Did I say Rose Paulino?

7 A. Yes.

8 Q. Rose Taimanglo.

9 A. Did I speak to Rose Taimanglo about this
10 incident; I did.

11 Q. And what did you tell her?

12 A. I told her after finding out that Christina
13 slapped her on her buttocks.

14 Q. Wait a minute. I'm asking what you told Rose.

15 A. Yes.

16 Q. Okay.

17 A. And I'm telling you.

18 Q. Okay; I'm sorry.

19 A. I told Rose Taimanglo after I found out that
20 Christina slapped her on her buttocks what happened to
21 me.

22 Q. When did you find out that Christina had
23 slapped Rose on her buttocks?

24 A. In August.

25 Q. Do you remember approximately when in August?

1 A. The 9th or the 10th; I don't.

2 Q. Is that right about the time that you -- when
3 you finally told Rose, is that about the time that you
4 and Viviene and Rose went to May Paulino --

5 A. Yes.

6 Q. -- that resulted in Christine getting fired?

7 A. Around this same time; yes.

8 Q. Did Christina ever slap you on your butt again?

9 A. No.

10 Q. So you told her, "Don't do that again" and she
11 didn't do it?

12 A. Correct.

13 Q. After this third incident, this slapping -- let
14 me strike that. Knowing what you know today, do you
15 think that if you reported this third incident to May
16 Paulino, that May would have fired Christina?

17 MR. TORRES: Objection; calls for
18 speculation.

19 A. Repeat your question one more time.

20 Q. (By Mr. Roberts) Yeah. Knowing what you know
21 today, do you think that if you had reported this first
22 incident, this second incident and the third incident to
23 May Paulino, that May would have terminated Christina?

24 A. No.

25 Q. You don't think so?

1 A. No.

2 Q. Why not?

3 A. Because of the other incidences I heard with
4 what Christina did to Viviene and what Rose did with
5 Christina, and the actions that they had taken; nothing
6 was done.

7 Q. Well, on August 11th, you and Rose and Viviene
8 went to May and said, "Christina is sexually harassing
9 us," right?

10 A. We complained to her about Christina's actions.

11 Q. Yes. And Christina was fired on August 13th,
12 right?

13 A. Three days later.

14 Q. You think it was three days?

15 A. Wednesday, Thursday, Friday; three days.

16 Q. Actually, I think the record will reflect that
17 Ms. Camacho was terminated on August 13th, Friday,
18 August 13th --

19 A. Yes.

20 Q. And that August 11 was a Wednesday. Were you
21 there the day that Christina was fired?

22 A. Yes.

23 Q. What shift, do you recall? Actually, I
24 withdraw the question, I'm getting ahead of myself;
25 okay? So if May fired Christina after you three went to

1 her and told her about Christina, why don't you think
2 May would have fired Christina if you had told her about
3 the first incident or the second incident or the third
4 incident involving you?

5 A. Because when we went to our interview with May,
6 I remember the discussion about how she told me that it
7 was brought up prior to her and Mr. Suzuki did not want
8 to let Christina go because of our short of staff.

9 Q. I guess now I'm getting very close to arguing
10 with you, and I'll try not to.

11 A. Okay.

12 Q. May fired Christina, right?

13 A. Yes.

14 Q. And she fired her for sexually harassing you;
15 didn't she?

16 MS. MORRISON: Objection; calls for
17 speculation.

18 Q. (By Mr. Roberts) What's your understanding of
19 why Christina was fired?

20 A. Because of the complaints that was brought to
21 May.

22 Q. Complaints about what?

23 A. Of the -- the three individuals, Rose, Vivienne
24 and I.

25 Q. Complaining of what?

1 A. Of Christina's behavior towards us.

2 Q. And that behavior was what?

3 A. Harassment.

4 Q. And Christina was fired as a result of that,
5 right?

6 A. I believe so.

7 Q. But you didn't tell May about incidents 1, 2,
8 or 3; did you?

9 MS. MORRISON: Objection; vague as to
10 time.

11 Q. (By Mr. Roberts) And I'll ask it a different
12 way. When is the first time you ever told May Paulino
13 that Christina was sexually harassing you?

14 A. That day that she brought us down for an
15 interview.

16 Q. Was that on August 11th?

17 A. Yes, I believe so.

18 Q. And Christina was fired, you say, three days
19 later, but the record will reflect that it was two days
20 later on August 13th.

21 A. I believe Wednesday Rose spoke with May, and
22 then on the next -- Wednesday is when Christina was told
23 to go home, then she did not report back to work on
24 Thursday, Friday. So as of Wednesday she got suspended
25 and was told to go home by May that day. So the reason

1 why I count three days is because Wednesday, Thursday,
2 Friday.

3 Q. Okay.

4 THE WITNESS: May I take a break?

5 MR. ROBERTS: Yes, please. Let us take a
6 break.

7 (Recess was taken.)

8 (Back on the record.)

9 MR. ROBERTS: Okay, we're back on the
10 record, we had just taken a short break.

11 Q. (By Mr. Roberts) Jennifer, did you ever make
12 any jokes that could be considered of a sexual nature
13 towards Christine?

14 A. No.

15 Q. Did you ever hear any other employees make any
16 jokes that could be considered of a sexual nature to
17 Christine? For example, Rose or Viviene.

18 A. I don't remember.

19 Q. Did you ever laugh at any jokes that Christine
20 made?

21 A. What kind of jokes?

22 Q. Jokes of a sexual nature?

23 A. No.

24 Q. Did you ever hear Rose or Viviene laugh at
25 anything Christine might have said of a sexual nature?

1 A. I don't remember.

2 Q. So if Christine Camacho testified under oath
3 last Thursday that you and Rose and Viviene would laugh
4 when she made jokes of a sexual nature, was she lying?

5 A. I did not laugh at Christina's sexual jokes.
6 If they were clean jokes, I laughed at them, but once I
7 felt that the jokes were offensive in any sexual way, I
8 didn't laugh at it I just walked away and felt
9 disgusted.

10 Q. Can you remember any sexual jokes that
11 Christina made of an oral nature?

12 A. No.

13 Q. And I think you testified you never told Yutaka
14 Maruyama after he came onboard about any of these first
15 three incidents that we were talking about earlier,
16 right?

17 A. Correct.

18 Q. After this third incident where Christina
19 slapped your buttocks, did you ever tell anyone in
20 management or any supervisor that you didn't want to
21 work with Christine anymore?

22 A. I believe I told Rose.

23 Q. Do you remember what Rose said to you?

24 A. No.

25 Q. Do you remember exactly what words you said to

1 Rose?

2 A. I told Rose that I wasn't comfortable anymore
3 working with Christina and I was sick and tired of
4 tolerating her, the way she was acting at the front desk
5 with us, and the way she was around us.

6 Q. Did you describe any particular incident to
7 Rose?

8 A. Again, when I found out that Rose -- that
9 Christina slapped Rose on her buttocks, that's when I
10 told her about all these incidents that were bothering
11 me and that I just -- I hated it, you know. I'm sick
12 and tired of dealing with Christina, her language, the
13 way she carries herself, conducts herself at work. I
14 kept my distance from her all the time. I didn't want
15 to deal with Christina anymore.

16 Q. And you told Rose this on August 9th, about?

17 A. Yes.

18 Q. After this third incident where she slapped
19 your butt, did she ever touch you again?

20 A. No.

21 Q. Did she ever make any jokes of a sexual nature
22 to you again?

23 A. I don't remember.

24 Q. So I'm understanding your testimony to be that
25 you never personally made any complaints directly to Mr.

1 Suzuki about Christine Camacho.

2 A. I -- there was one incident with Mr. Suzuki.
3 We all had to do room checks in the afternoon, and I
4 paired up with Christina and I asked him not to send me
5 with her, and he jokingly responded by saying, "We'll
6 handcuff you together."

7 Q. That what?

8 A. We will -- I will handcuff you together.

9 Q. What did he mean by that, do you think?

10 A. I don't know. And so I separated myself from
11 Christina, I told her to take care of those three rooms
12 and I went to the other three rooms and I did not -- I
13 kept my distance from her as much as I could every day
14 at work.

15 Q. Okay. Mr. Suzuki was joking, you think, right?

16 MS. MORRISON: Objection; calls for
17 speculation.

18 Q. (By Mr. Roberts) Did you think that Mr. Suzuki
19 really suggested that he was going to physically
20 handcuff you to Christine Camacho?

21 A. No.

22 Q. Okay. So did you assume he was joking?

23 A. I knew that he didn't take my comment seriously
24 that I asked to not be with her.

25 Q. Did you tell him why you didn't want to be with

1 her?

2 A. He knew that I wasn't comfortable. I told him
3 I didn't want to be with her.

4 MR. ROBERTS: And I guess I'd have to
5 interpose an objection to the question as
6 non-responsive.

7 Q. (By Mr. Roberts) The question was, did you
8 tell him why you did not want to go with her to do the
9 room checks?

10 A. I don't remember.

11 Q. Well, did anything happen when you went to do
12 the room checks with Christina?

13 A. I personally just didn't want to be around her
14 because she made me uncomfortable.

15 Q. Did she touch you?

16 A. Because of all the incidents that led up --

17 Q. No, but on this room check, did she touch you
18 that day?

19 A. No, because I separated myself from her.

20 Q. Okay. Did she harass you on that day?

21 A. No, because separated myself from her.

22 Q. I understand. And did you personally ever
23 complain to Mr. Iijima about Christine Camacho?

24 A. I remember a day that I told him when Christina
25 broke out some Kotex and she was waving it around to him

1 at the front desk. I said, "Don't you see that's
2 disgusting?"

3 Q. What day did this happen?

4 A. Oh, I don't remember.

5 Q. Was it before or after the third incident of
6 butt slapping?

7 A. Probably before.

8 Q. Do you specifically remember?

9 A. No.

10 Q. Okay; bad question. What did Christina do that
11 day with the Kotex?

12 A. She grabbed it out, she waved it in front of
13 Mr. Iijima and myself at the front desk.

14 Q. What did she say?

15 A. I don't remember.

16 Q. Did she say anything?

17 A. I think so.

18 Q. But you don't remember what she said?

19 A. No.

20 Q. And when you say she waved it, can you describe
21 what you mean?

22 A. She took out her Kotex from the drawer and
23 waved it at the front desk, and Mr. Iijima was on the
24 opposite side of the counter and she goes, "Look."

25 Q. She said "look"?

1 A. Yeah.

2 Q. The Kotex was in its wrapper, I take it?

3 A. Yes.

4 Q. And what did Mr. Iijima do?

5 A. I think he told her to put it away.

6 Q. Iijima-san spoke English, right?

7 A. Yes.

8 Q. Pretty good English?

9 A. Pretty well.

10 Q. And when Mr. Iijima told her to put it away,
11 did she do it?

12 A. I believe she went to the rest room right after
13 that

14 Q. Were there any other incidents other than the
15 melon, discussing her breast as being a melon, or
16 reaching under your skirt, or slapping your butt, or the
17 waving of the Kotex, that you remember that you would
18 consider sexual harassment, that you saw with your own
19 eyes? Or heard with your own ears.

20 A. Yeah, I felt her jokes were unnecessary, her
21 sexual jokes, you know, her vulgar language, the way she
22 talked. It made me feel uncomfortable and it made me
23 keep myself away from her.

24 Q. But you don't remember any specific jokes,
25 right?

1 A. She -- she said she would enjoy having oral sex
2 when a female is on her menstruation.

3 Q. And when did she say that?

4 A. About the same time she asked me to feel her
5 melons.

6 Q. That would have been back on, like the first
7 incident, right?

8 A. Yes.

9 Q. The same time?

10 A. The same time?

11 Q. I mean, was it a part of the same incident or
12 is it around the same time?

13 A. Around the same time.

14 Q. And what did you tell her when she said that?

15 A. I said, "That's sick," and I walked away from
16 her.

17 Q. Okay. So now we've got the three incidents
18 involving touching, physical contact between you and
19 Christine, and then we've got the waving of the Kotex
20 and the comment about having sex with a woman during
21 menstruation. Anything else of an oral nature that you
22 would consider sexual harassment?

23 A. There were days she would describe what she did
24 with her partner during the working hours.

25 Q. Her sexual partner, her girlfriend?

1 A. Her girlfriend at LeoPalace.

2 Q. And so what did she do, describe --

3 A. Having sex with her.

4 Q. And did you tell Christine, "Stop that, I'm not
5 interested in your sex life"?

6 A. I didn't respond to her, I just walked away.

7 Q. Did you report her conduct to management, or a
8 supervisor?

9 A. No.

10 Q. Have you ever heard about this memorandum that
11 was supposedly drafted by night manager Greg Perez
12 detailing an incident involving Viviene?

13 A. I heard about it.

14 Q. And what did you hear?

15 A. Viviene told me that Christina grabbed her from
16 the back and tried to hump her.

17 Q. And when did Viviene tell you this?

18 A. Maybe the second or third week I started
19 working.

20 Q. Did you report that to management or
21 supervisor?

22 A. She told me that Greg and Ralph were there and
23 she --

24 Q. Who's Ralph?

25 A. A co-worker that worked the shift with Viviene.

1 She told me that -- you know, Greg Perez reported the
2 incident and supposedly talked to Christina about it.

3 Q. Reported the incident to whom?

4 A. I don't know.

5 Q. I'm sorry; do you remember when Viviene might
6 have said this to you?

7 A. I believe it was the second or third week I was
8 there.

9 Q. It wasn't towards the middle of August when you
10 all three went to talk with Rose?

11 A. No.

12 Q. Do you know who supposedly gave this memo to --
13 let me strike that question. Do you know who this memo
14 was supposedly addressed to?

15 A. All I remember is that Greg -- I was told that
16 Greg took the memo down to May.

17 Q. Himself?

18 A. I don't know.

19 Q. And do you know what was in the memo?

20 A. No.

21 Q. Do you know when this memo was supposed to have
22 been delivered to May?

23 A. No.

24 Q. Assuming that May got this memo, and assuming
25 it detailed the incident wherein Viviene had been

1 | inappropriately touched by Christine, in your view, what
2 | should May Paulino have done about it?

3 4- There should have been immediate discipline.

4 Q. Of what nature, in your mind? Well, let me
5 just strike that. Do you think May would have been, in
6 your view, in your mind, do you think May would have
7 been entitled to investigate the situation?

8 | A. Yeah.

9 Q. Okay. And then if the allegations were
10 substantiated after an investigation, would it have been
11 reasonable for Rose to -- excuse me, May to warn
12 Christina?

13 A. Yeah.

14 Q. And from what you know now as we sit here all
15 today, do you think a warning to Christina would have
16 made Christina stop acting inappropriately at the
17 workplace?

18 MS. MORRISON: Objection; calls for
19 speculation.

20 A. I don't know.

21 Q. (By Mr. Roberts) And to your knowledge, when
22 was May Paulino first informed -- let me strike that
23 question. Other than this Greg Perez memo, the first
24 time you told May what was going on was August 9th or
25 August 10th, right?

1 A. Correct.

2 Q. In your mind, do you fault LeoPalace for
3 anything that Christine may have done or said before
4 LeoPalace became aware that she was behaving
5 inappropriately at work?

6 A. Repeat your question.

7 Q. Yeah; thanks. If a company doesn't know that
8 an employee is acting inappropriately at work, it can't
9 do anything about it, right?

10 A. They knew. I believe LeoPalace knew what was
11 going on, and I personally feel that they didn't do
12 anything about it.

13 Q. Well, they fired Christine.

14 A. After all the incidences led up to it, and the
15 fact that we were told short of staff, can't fire her.

16 Q. Who told you short of staff?

17 A. May told me that day that she had a
18 conversation with Mr. Suzuki, and because they felt that
19 they were short of staff, they weren't going to let her
20 go.

21 Q. And then May fired her two days later?

22 A. Yes.

23 Q. Do you fault LeoPalace for anything that
24 Christine may have done before LeoPalace was made aware
25 that she was acting inappropriately?

1 A. Yes.

2 Q. Why?

3 A. Because they knew --

4 Q. No, no, no; listen to my question. Do you
5 fault LeoPalace for anything that Christine may have
6 done before LeoPalace Resort was aware that she was
7 acting inappropriately at the workplace?

8 A. No.

9 Q. We've talked about certain incidents and
10 certain comments that Christine made. Were these -- and
11 she slapped your butt on, you remember, July 7, right?

12 A. Yes.

13 Q. Was there anything else that happened in July
14 that you could specifically remember?

15 A. About Christina's behavior?

16 Q. Yeah; that you saw with your own eyes or
17 experienced for yourself in July.

18 A. I just continued to hear again -- she continued
19 to create a hostile environment for me, uncomfortable
20 feeling at --

21 Q. Because of her language and the words she said?

22 A. Yeah. I was afraid of what she's going to --
23 what -- I was afraid of what she was going to do to me
24 next, you know, three incidences, and she slapped me on
25 my butt. I told her to stop, but she continued to use

1 vulgar language. I felt uncomfortable being at the
2 front desk with her.

3 Q. Let me show you what we'll mark as Exhibit 5,
4 and this is a form we've all seen. It's what May
5 Paulino testified is a transcript of her interview with
6 you on August 11 of 2004, I think you saw it yesterday
7 at the deposition but I could be wrong about that.

8 A. No. I didn't see this yesterday.

9 (Exhibit 5 marked: August
10 11, 2004 interview
11 transcript.)

12 Q. What I'd like you to do, and I'll tell you, May
13 Paulino testified that she typed this up after her
14 interview with you on August 11th, and that it was an
15 accurate summary of what you talked about.

16 A. Okay.

17 Q. Read this to yourself and I'll ask you some
18 questions: okay?

19 (Witness complied.)

20 (Off the record.)

21 (Back on the record.)

22 A. Okay.

23 Q. (By Mr. Roberts) Okay, we're back on the
24 record. You're looking at Exhibit 5 which has been
25 previously identified by May Paulino as a transcript of

1 her interview with you on August 11th. Do you see how
2 May has transcribed what she said and then transcribed
3 what you said, at least according to May, right?

4 A. Okay.

5 Q. Do you see that?

6 A. Um-hmm.

7 Q. Is there anything inaccurate about what May
8 said that she said to you?

9 A. I don't remember May saying sexual harassment
10 is a very sensitive matter, and it has to be corrected
11 immediately.

12 Q. Okay; you don't remember that. Do you remember
13 you and her talked about sexual harassment though during
14 the meeting, right?

15 A. Yes.

16 Q. Do you remember in particular what May might
17 have said about sexual harassment in the workplace?

18 A. I remember telling her that Christina should
19 have known about sexual harassment because it's in our
20 handbook. I remember, I remember saying that.

21 Q. Do you see anything else that May said that she
22 said that you don't think she said?

23 A. I don't see it in here that she told me what
24 Mr. Suzuki said about letting go -- we can't let go of
25 Christina because we're short of staff.

1 Q. Okay. So there's not in there, right?

2 A. No.

3 Q. But you think May Paulino said that to you
4 during that meeting?

5 A. Yes.

6 Q. And I think she said that -- I'm not going to
7 tell you what you said. What did May say exactly during
8 this meeting about Mr. Suzuki?

9 A. That she brought it up to Mr. Suzuki and Mr.
10 Suzuki responded in that, we can't let Christina go
11 because we're short of staff.

12 Q. How about -- anything else that you consider
13 inaccurate?

14 A. On this document?

15 Q. Yeah, about what May said that she said.

16 A. This part that says, "Did Mr. Iijima say
17 anything when she flashed her Kotex in front of him?
18 She was told not to do that. You folks jokes with her.
19 You folks entertained her sexual jokes."

20 My response was, "Yes, at times we laughed
21 about it."

22 "May: That's the mistake. If she makes sexual
23 comments/jokes and you folks don't appreciate, you
24 should tell her to stop immediately. Tell her stop."

25 That part I don't -- I don't even recall her

1 saying that to me, that it was mistake, that that's our
2 mistake and that we should tell her to stop. I remember
3 during that conversation, May asked us if we laughed at
4 her jokes and I said yes, at times we did. And she
5 said, "Well, you're entertaining it," and that's all. I
6 think this here is inaccurate.

7 Q. I'm sorry, when you point, what are you
8 pointing at?

9 A. One, two, three -- fourth May --

10 Q. The fourth May?

11 A. -- dialogue.

12 Q. May I see that? Do you recall what May did
13 say, if anything, when you said, "Yes, at times we did
14 laugh"? Do you remember what May's response to you
15 might have been?

16 A. She responded by saying, "Well, you guys are
17 entertaining her."

18 Q. Okay. Anything else in this document that May
19 wrote that May said that you don't think is accurate?

20 A. The Jennifer part where it says "yes." I don't
21 think I said "yes."

22 Q. Okay.

23 A. What is accurate is she asked me how would I
24 feel if Christina -- "How do you feel if she continued
25 working at the front desk?" And I told her I was very

1 uncomfortable and I didn't want her to work around me
2 anymore. I didn't want her around.

3 Q. And did she ever work with you again after this
4 day?

5 A. After that day, no.

6 Q. Is there anything that May wrote that you,
7 Jennifer, said that you disagree with? You said a
8 couple of things already, you said the "yes" part, the
9 single word "yes" with an exclamation point in that
10 document. You don't remember saying that. Anything
11 else that you think is inaccurate or that you don't
12 remember about what you might have said?

13 A. I remember going -- speaking with May about the
14 candle incident.

15 Q. Okay; what candle incident?

16 A. I was told when I came into my shift by Rose
17 that Christina handed over candles to a wedding couple.

18 Q. Who told this, Rose?

19 A. Yeah.

20 Q. And when did Rose tell you this?

21 A. I don't remember.

22 Q. All right.

23 A. So Christina was giving the customer during
24 checkout the candles and said, "These are yours."

25 Q. This is what Rose told you?

1 A. Yes.

2 Q. And this incident, you think you discussed this
3 with May on August 11th?

4 A. I did. I remember saying -- because I was, I
5 was concerned about Christina's work ethics. I said --
6 I told May that -- you know, "Christina gave candles to
7 a customer and told them it was a dildo, a vibrator, now
8 that's inappropriate customer service."

9 | Q. Did May agree with you?

10 A. She did.

11 Q. Anything else -- well, that's something that
12 you think May -- that you say May didn't put in this
13 transcript, right?

14 A. Yes.

15 Q. Is there anything that May wrote that you said
16 that you think is inaccurate other than the word "yes"?

17 A. Just the fourth May and the Jennifer right
18 after that.

19 Q. The fourth May and the Jennifer; okay, got it.
20 Did May ask you to prepare a written statement?

21 A. I don't remember.

22 MR. ROBERTS: And we'll mark this as
23 Exhibit 6.

24 | (Exhibit 6 marked:

Handwritten document

1 | dated 8/11/04.)

2 Q. (By Mr. Roberts) Do you recognize this
3 document, Jennifer?

4 | A. Yes.

5 MR. ROBERTS: Let's go off the record
6 for a second.

7 (off the record.)

(Back on the record.)

11 | THE WITNESS: You're welcome.

12 Q (By Mr. Roberts) Do you recognize Exhibit 6?

13 A Yes

14. *a* What is it?

15 1 It's a -- I wrote it.

16 Q. Did you write it on August 11th while you were
17 with May Paulino?

18 A. Repeat your question.

19 Q. Did you write this while you were with May
20 Paulino on August 11th?

21 A. No.

22 Q. When did you write it?

23 4 Before

So you wrote it before and gave this to May?

35 | 4 I brought it with me

1 Q. When did you write it?

2 A. Before I went down.

3 Q. I mean like -- oh, you were scheduled -- I
4 think you were saying you were scheduled to have a
5 meeting with May and so you wrote this for the meeting?

6 A. Yes.

7 Q. Did you write it while you were working?

8 A. I believe so.

9 Q. And what was your purpose in writing this
10 document?

11 A. I wrote this because I wanted to jot down my
12 thoughts with Christina, and I wanted to bring this
13 knowing that we were going to have the meeting with May
14 to discuss Christina.

15 Q. And the first thing you wrote is, "As a worker,
16 she was briefed about sexual harassment matters during
17 orientation," right?

18 A. Yes.

19 Q. The second thing you wrote is, "She's weak in
20 her customer service" -- what's that word?

21 A. Area.

22 Q. -- area." And then you wrote, "One day she
23 asked if she could spank your rear and you told her no."

24 A. (Witness nodded head in the affirmative.)

25 Q. You have to say yes or no, Jennifer. I'm

1 sorry. Yes, that's what you wrote?

2 A. Yes.

3 Q. And the next day she just did it anyway?

4 A. Yes.

5 Q. Is that the July 7th incident you talked about
6 earlier?

7 A. Yes.

8 Q. And then the last thing you wrote was, "I
9 emphasized when I spoke with Rose yesterday" -- you were
10 talking about a conversation the day before with Rose
11 Taimanglo, right?

12 A. Yes.

13 Q. What was that conversation about with Rose
14 Taimanglo?

15 A. That was a conversation when I found out Rose
16 was spanked by Christina and we started talking about
17 Christina, how I was disgusted with her, and I didn't
18 feel comfortable working with her.

19 Q. And there's no mention about the melons and the
20 breast incident in this handwritten report; is there?

21 MS. MORRISON: Objection; document
22 speaks for itself.

23 Q. (By Mr. Roberts) Go ahead.

24 A. No, there wasn't.

25 Q. And you didn't mention Christine trying to

1 reach up your skirt; did you?

2 A. In this document?

3 Q. Yes.

4 A. No.

5 Q. And you didn't mention anything about a dildo
6 incident in this letter; did you?

7 A. No.

8 Q. And you didn't mention anything about a Kotex-
9 waving incident in this memo; did you?

10 A. Again, this wasn't a memo for her, it was my
11 thoughts at the time, during that day, what I was
12 bringing up about Christina.

13 Q. All right. So the answer is no?

14 A. No.

15 Q. Exhibit 7 will be Phil Torres' letter of August
16, 2004, and let me ask you if you've ever seen this?

17 A. Yes.

18 (Exhibit 7 marked: Letter
19 dated August 16, 2004
20 from Phil Torres to May
21 Paulino.)

22 Q. And what's the date of this letter?

23 A. August 16, 2004.

24 Q. And Christine Camacho had been fired the
25 previous Friday, the 13th, right?

1 A. Yes.

2 Q. When did you first meet with Mr. Torres? Don't
3 tell me anything he said to you or that you said to him.
4 When did you first meet with him?

5 A. Thursday.

6 Q. The day before Christine was fired?

7 A. Yes.

8 Q. And were all three of you together, you and
9 Viviene and Rose?

10 A. No.

11 Q. Was it just you?

12 A. No.

13 Q. Okay; you got me.

14 A. It was Rose and I.

15 Q. All right. Can I get the letter back? Did you
16 have a conversation with Mr. Maruyama after Phil Torres
17 sent this letter on August 16th?

18 A. Yes.

19 Q. And did you have a conversation with Mr.
20 Maruyama about this letter?

21 A. I had a confrontation from Mr. Maruyama about
22 this letter.

23 Q. Did you talk during the confrontation?

24 A. Yes.

25 Q. So you had a conversation.

1 MS. MORRISON: Objection; asked and
2 answered.

3 MR. ROBERTS: It was.

4 Q. (By Mr. Roberts) What happened?

5 A. A letter was dropped off in an envelope to the
6 front desk for Mr. Maruyama, we put that letter -- I put
7 that letter --

8 Q. That letter is Mr. Torres' letter?

9 A. The same letter, yes, in an envelope addressed
10 to Mr. Maruyama. This was a fax --

11 Q. Right.

12 A. -- right? So the letter, I put it into his
13 mail stack because he comes in every morning to get his
14 mail, every morning.

15 Q. Did you work on August 16th?

16 A. I don't remember.

17 Q. Okay.

18 A. And that was on a Tuesday, August 17th, when he
19 got that letter in the morning.

20 Q. And you were at work on that day?

21 A. Yes, Tuesday morning. He came, gave him the
22 letter -- gave him his mail. I guess he opened it and
23 Rose and I were working that morning, he walked by and
24 stormed right straight towards me in the front desk, and
25 he said, "Why are you doing this?" He had his voice

1 raised and he was up in my face asking me why am I suing
2 him.

3 Q. Was he behind the front desk?

4 A. Behind the front desk.

5 Q. Where you were?

6 A. Yes.

7 Q. And he said, "Why are you doing this"?

8 A. And I said, "I am not doing this to you." He
9 said, "But I am the company. I am LeoPalace." And I
10 responded to him, "I'm doing this because HR didn't do
11 anything about it." And he said, "I can't trust you
12 anymore." He kept on staring at me, I can feel anger
13 coming off of his voice. I started to tremble inside, I
14 felt butterflies inside and I started feeling scared.
15 And then he stormed out of the front desk, Rose got off
16 the phone and she was freaking out too.

17 Q. Rose was on the phone while this conversation
18 was taking place?

19 A. Yes.

20 Q. Where was Rose?

21 A. At the front desk.

22 Q. I know, but there's several computers, right?

23 A. Rose was right -- okay, this is the counter --

24 Q. All right.

25 A. -- i was probably here on the back -- there's a

1 back counter that we store stuff in, so I was standing
2 there, Rose was on the phone probably between the far
3 left and the middle computer.

4 Q. Was she on the phone for the entire incident?

5 A. I don't remember.

6 Q. Okay.

7 A. But I glanced at her and she was looking over
8 at me while she was on the phone.

9 Q. Okay.

10 A. So --

11 Q. When you say Mr. Maruyama stormed away, what do
12 you mean stormed?

13 A. He pushed the door open hard and then he pushed
14 the other door open, and he walked this way back to his
15 office and in a few minutes he walked back the other
16 way, across the lobby, walked out the front door, and he
17 just kept on pacing back and forth that day and just not
18 talking to us, and just pushing -- I remember, the
19 reason why I'm saying storm is because I remember him
20 pushing the door really hard to get out of it.

21 Q. Okay. When you say he raised his -- did you
22 say he raised -- he didn't shout -- did he raise his
23 voice or shout?

24 A. He raised his voice.

25 Q. He wasn't shouting, right?

1 A. No, he raised his voice.

2 Q. And would you describe Mr. Maruyama as
3 generally a calm kind of individual?

4 A. Calm, happy, greeted me every morning.

5 Q. So every morning that you were working, he
6 would come in and say, "Hi, how are you doing," right?

7 MS. MORRISON: Objection; vague as to
8 time?

9 Q. (By Mr. Roberts) What time did Mr Maruyama
10 generally get to the office?

11 A. About 8 o'clock.

12 Q. And were you usually at work at that time?

13 A. If I worked A shift.

14 Q. If you worked A shift. And did Mr. Maruyama
15 always say "Hello, good morning, how are you doing,"
16 words to that effect?

17 A. Yes, he greeted the front desk staff.

18 Q. Would you describe Mr. Maruyama as generally a
19 friendly person?

20 A. Yes.

21 Q. Did you get along with him prior to this
22 incident?

23 A. Yes.

24 Q. Was he your friend prior to this incident?

25 A. Define friend.

1 Q. Were you on friendly terms with him?

2 A. He was my GM and I showed him the respect of a
3 GM.

4 Q. How long did this incident take from the time
5 he first came to talk to you and the time he left your
6 area?

7 A. You have to repeat the question, please.

8 Q. I will. I'll just ask a different question.
9 Other than what you've already said, did Mr. Maruyama
10 say anything else to you during this incident?

11 A. That morning?

12 Q. Yes.

13 A. No, he didn't talk to me ever after that.

14 Q. And did you say anything to Mr. Maruyama during
15 this incident that you haven't already described?

16 A. No.

17 Q. In your own words, as if you had any other
18 words, describe how working at LeoPalace after the
19 sexual harassment Complaint was filed was different than
20 working at LeoPalace before the sexual harassment
21 Complaint was filed?

22 A. It was not comfortable anymore.

23 Q. Why?

24 A. Because of all the stress I had to deal with.

25 Q. Like what?

1 A. The stress, knowing that Christina harassed me,
2 knowing I got yelled at by the GM.

3 Q. But you said he didn't yell.

4 A. Okay; I'm sorry. Who raised his voice at me
5 and made me feel intimidated every day.

6 Q. How?

7 A. He no longer said "hello," he no longer smiled.
8 He just walked by and stared at me or stared at us at
9 the front desk, and it wasn't a nice stare. Our
10 supervisors didn't talk to us -- you know, we were -- I
11 felt like I was given the silent treatment, you know. I
12 was questioned if I was wearing my uniform or not from a
13 telephone conversation I had with May. I mean, it just
14 wasn't the same anymore. A memo was put out saying that
15 we no longer can use our cell phones on the premises.

16 Q. And you think that was related to your sexual
17 harassment complaint?

18 A. Yes.

19 Q. Why?

20 A. It never -- it never had occurred -- it never
21 bothered HR office that we were using our cell phones
22 during our break or anything, but it came out right
23 after the fact that we filed this.

24 Q. How do you know that you guys using your cell
25 phones at work didn't bother management?

1 A. I don't know that.

2 Q. All right. What else then, how else was it
3 different after the complaint than before the complaint?

4 A. My hours got cut.

5 Q. And do you think your hours were cut because
6 you complained about sexual harassment?

7 MS. MORRISON: Objection; calls for
8 speculation.

9 Q. (By Mr. Roberts) Why do you think your hours
10 were cut?

A. Because management -- because of this suit.

12 (Exhibit 13 marked:
13 Supplemental
14 Declaration.)

15 Q. Let me get ahead of myself and show you Exhibit
16 13, this is a Supplemental Declaration that I believe
17 you signed -- well, let me ask you, is that your
18 signature on this document?

19 A. Yes.

20 Q. All right. In paragraph 8 of this document,
21 you said, "I went into work one Saturday morning and
22 found that my hours had been cut and instead of being
23 off at 2:45 p.m. I was to be off at 1:30 p.m."

24 And then in the next paragraph you said, "I
25 quickly realized that management reducing my work hours

1 was retaliatory against me."

2 Do you remember saying those words, or using
3 those words in the Supplemental Declaration?

4 A. Yes.

5 Q. Do you really think -- what was your pay at the
6 time, \$8.50 an hour?

7 A. Yes.

8 Q. And at \$8.50 an hour, an hour and 15 minutes is
9 about 10 bucks; isn't it?

10 A. (Witness nodded head in the affirmative.)

11 Q. You have to say yes.

12 A. Yes.

13 Q. Do you really think management retaliated
14 against you by reducing your pay by \$10.00 because you
15 filed a sexual harassment complaint?

16 A. Yes.

17 Q. \$10.00?

18 A. I believe so. We were short five staff, why
19 would they cut my hours when we were short of five
20 individuals. I felt that they were cutting my hours.

21 Q. So your testimony is that you believe that
22 management took \$10.00 out of your pay check in
23 retaliation for your sexual harassment complaint?

24 MS. MORRISON: Objection;

25 mischaracterizes her testimony.